

1 AN ACT concerning teachers.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Veteran Teachers to Schools in Need Act.

6 Section 5. Findings and declarations. The General
7 Assembly finds and declares the following:

8 (1) There is a growing shortage of high-quality,
9 certified veteran classroom teachers who remain teaching
10 at low-performing, high-needs schools.

11 (2) Teachers often leave positions at these schools
12 in exchange for higher paying positions at other schools,
13 or they choose to leave the teaching profession
14 altogether. These low-performing, high-needs schools
15 often cannot afford to pay teachers an adequate salary
16 and, therefore, cannot afford to offer these teachers
17 financial incentives to stay.

18 (3) These schools are often marked by a high number
19 of low-income students.

20 (4) Out of all students in Illinois' classrooms,
21 these students are most in need of high-quality,
22 dedicated teachers.

23 (5) Incentives to encourage veteran teachers to
24 teach in these low-performing, high-needs schools are
25 appropriate to ensure that all of Illinois' students
26 receive a quality education so that they may become
27 productive citizens of this State.

28 Section 10. Definitions. In this Act:

29 "High quality, veteran teacher of exemplary ability" is a
30 teacher that meets the teacher qualifications listed in

1 Section 15 of this Act.

2 "Local contribution" means the average annual salary
3 currently paid by the school district to teachers at the
4 low-performing, high-needs school with experience
5 commensurate with that which a high-quality, veteran teacher
6 of exemplary ability possesses.

7 "Low-performing, high-needs school" means a public school
8 in this State that may exhibit any of the following
9 characteristics, without limitation:

10 (1) The school is listed on the State Board of
11 Education's Academic Watch List or Early Academic Warning
12 List.

13 (2) The school has a high rate of drug use, crime,
14 or low-income students.

15 (3) The school is defined as a high-need,
16 hard-to-staff school by the State Board of Education.

17 "Program" means the Veteran Teachers to Schools in Need
18 Program.

19 "State contribution" means an annual salary supplement
20 paid by the State, as determined under Section 20 of this
21 Act.

22 Section 15. Creation of Program; participant
23 qualifications. The Veteran Teachers to Schools in Need
24 Program is established to encourage high-quality, veteran
25 teachers of exemplary ability to teach at low-performing,
26 high-needs schools by offering these teachers incentives. A
27 teacher may participate in the Program if the teacher meets
28 all of the following qualifications:

29 (1) The teacher has at least 5 years of teaching
30 experience as a certified teacher.

31 (2) The teacher is of high quality and exhibits
32 exemplary ability. High quality and exemplary ability may
33 be demonstrated by any of the following, without

1 limitation:

2 (A) Consistent "excellent" ratings on
3 evaluations conducted pursuant to Article 24A of the
4 School Code.

5 (B) National Board for Professional Teaching
6 Standards certification.

7 (C) Recognition of superior teaching
8 excellence demonstrated by the receipt of teaching
9 awards or honors, including without limitation
10 "Teacher of the Year" awards.

11 Section 20. Annual salary supplement. Beginning with the
12 2002-2003 school year, a teacher participating in the Program
13 may apply for a salary supplement each school year from the
14 State Board of Education if that teacher begins teaching at
15 or, if currently employed, remains teaching at a
16 low-performing, high-needs school. The salary supplement
17 shall be paid to the teacher on a prorated basis as part of
18 the teacher's annual salary payment plan, beginning with the
19 first pay period of the school year. The salary supplement
20 shall be determined as follows:

21 (1) If the participating teacher is currently
22 teaching at a school that is not a low-performing,
23 high-needs school, but will be leaving that position to
24 teach at such a school as a participant in the Program,
25 the State contribution shall be the teacher's salary at
26 the time of application plus 10% of that salary, minus
27 the local contribution.

28 (2) If the participating teacher is currently
29 teaching at a low-performing, high-needs school and will
30 continue to teach at that school, the State contribution
31 shall be 10% of the teacher's salary at the time of
32 application.

33 The State contribution shall be in addition to the local

1 contribution. The school district that employs the teacher
2 must pay the local contribution to the teacher.

3 Section 25. Increases in pay. A teacher participating in
4 the Program shall receive increases in pay at the same rate
5 that other teachers at the low-performing, high-needs school
6 with a commensurate amount of experience receive, as per any
7 collective bargaining agreement applicable to teachers at
8 that school. Pay raises shall be paid by the school district
9 in addition to the local contribution. The State contribution
10 shall not increase, but may be decreased to the extent that
11 the school district, voluntarily or through collective
12 bargaining, increases the local contribution.

13 Section 30. Participation obligation. Teachers
14 participating in the Program shall, at a minimum, be
15 obligated to participate in the Program for a period of 3
16 school years. Teachers failing to fulfill this 3-year
17 commitment shall return any State contribution received to
18 the State, but shall not be held liable to return any local
19 contributions or pay raises to the school district.

20 Section 35. Waiver of residency requirements.
21 Notwithstanding any other law to the contrary, a teacher
22 participating in the Program shall not be bound by any school
23 district or city residency requirements regarding employment
24 at the low-performing, high-needs school, provided that
25 during participation in the Program the teacher maintains a
26 residence that is not more than 60 miles away from the
27 boundary of the school district or city, whichever is
28 applicable.

29 Section 40. Evaluation. After 3 school years of
30 participation in the Program and every 3 school years of

1 continued participation thereafter, a participant shall
2 undergo an evaluation by the school of his or her continued
3 performance as a high-quality, veteran teacher of exemplary
4 ability. The State Board of Education shall determine
5 appropriate evaluation criteria and shall determine
6 performance characteristics that are to be deemed
7 "satisfactory" or "unsatisfactory".

8 A participant rated satisfactory may continue
9 participation in the Program, but after the first 3 years of
10 participation the teacher shall be deemed to have fulfilled
11 his or her minimum participation obligation under Section 30
12 of this Act and may leave the Program at any time.

13 A participant rated unsatisfactory shall enter a
14 probationary period for a time of not less than 6 months, at
15 which time he or she shall undergo a re-evaluation. This
16 probationary period shall not be indicated on the teacher's
17 record of employment and shall be exclusively held as a
18 record of his or her participation in the Program. Inability
19 to improve to a satisfactory rating after this probationary
20 period shall result in termination from the Program.
21 Terminated participants shall continue to receive the local
22 contribution portion of their salary and may continue to be
23 employed at the school, as determined by the school in
24 cooperation with and abiding by any collective bargaining
25 agreements. Terminated participants are not required to
26 return any State contributions received.

27 Section 45. Program evaluation. Beginning at the end of
28 the 2005 school year and at the end of each school year
29 thereafter, the State Board of Education shall conduct an
30 annual evaluation of the Program. A report on each evaluation
31 shall be submitted to the General Assembly and shall document
32 whether and the extent to which the Program has contributed
33 to pupil performance and teacher retention at low-performing,

1 high-needs schools.

2 Section 50. Funding. Funding for the Program is subject
3 to annual appropriation made by the General Assembly for that
4 purpose. However, if the State fails to appropriate funds
5 sufficient to maintain a teacher's salary supplement under
6 Section 20 of this Act at any time during the teacher's
7 3-year participation obligation under Section 30 of this Act,
8 the teacher's participation obligation shall be considered
9 fulfilled. In addition, the State shall pay a lump sum,
10 one-time payment to the teacher that shall be equal to the
11 amount of the State contribution that the teacher would have
12 received during the remainder of that teacher's 3-year
13 participation obligation.

14 Section 90. Rules. The State Board of Education shall
15 adopt any rules consistent with the requirements of this Act
16 that are necessary to implement and administer the Program.

17 Section 905. Repeal. This Act is repealed on July 1,
18 2008.

19 Section 910. The Illinois Pension Code is amended by
20 adding Sections 16-133.6 and 17-116.7 as follows:

21 (40 ILCS 5/16-133.6 new)

22 Sec. 16-133.6. Early retirement incentive for
23 participants in the Veteran Teachers to Schools in Need
24 Program.

25 (a) For the purposes of this Section:

26 "Act" means the Veteran Teachers to Schools in Need Act.

27 "Program participant" means a teacher who is either (i)
28 an active participant in the Veteran Teachers to Schools in
29 Need Program created under the Veteran Teachers to Schools in

1 Need Act, or (ii) a former participant in that program whose
2 participation was terminated due to the State's failure to
3 appropriate sufficient moneys as provided in Section 50 of
4 the Act, for the remaining portion of the initial 3-year
5 participation obligation.

6 "Salary supplement" means the salary supplement paid by
7 the State to a program participant under Section 20 of the
8 Act; it includes any lump sum paid to the program participant
9 by the State under Section 50 of the Act.

10 (b) Any salary supplement received by a program
11 participant for which employee contributions have been paid
12 to the System shall be included in the computation of salary
13 and final average salary for the purposes of this Article and
14 Article 20, unless the program participant is required to
15 repay that salary supplement to the State under Section 30 of
16 the Act.

17 Employee contributions to the System shall be withheld by
18 the State from the salary supplement and paid by the State to
19 the System in the same manner as employee contributions to
20 the System are withheld from salary and paid to the System on
21 behalf of teachers who are State employees. The receipt of a
22 salary supplement by a program participant does not, however,
23 make that program participant an employee of the State.

24 No separate employer contribution is required at the time
25 of payment of the salary supplement, but the resulting
26 liability shall be considered in the calculation of the
27 required State contribution under Section 16-158.

28 (c) A former program participant who is required to
29 repay the salary supplement to the State under Section 30 of
30 the Act forfeits the employee contributions paid to the
31 System with respect to that salary supplement. Neither the
32 former program participant nor his or her survivor,
33 beneficiary, or estate is entitled to a refund of those
34 forfeited employee contributions.

1 (d) Upon completion of the first 3 school years of
2 participation in the program with a satisfactory rating, a
3 program participant is entitled to 3 years of age enhancement
4 under this Section. Upon completion of each additional
5 school year of participation in the program with a
6 satisfactory rating, a program participant is entitled to one
7 additional year of age enhancement under this Section, up to
8 a total of 6 years of age enhancement under this Section.

9 For each year of age enhancement established under this
10 Section, the program participant shall be deemed one year
11 older than he or she actually is, beginning at the time of
12 retirement. The age enhancement established under this
13 Section may be used for all purposes under this Article
14 (including calculation of a proportionate annuity payable by
15 this System under the Retirement Systems Reciprocal Act),
16 except for purposes of a reversionary annuity under Section
17 16-136, the retirement annuity calculated under Section
18 16-133(a)(A), the required distributions under Section
19 16-142.3, and the determination of eligibility for and the
20 computation of benefits under Section 16-133.2 of this
21 Article. Age enhancement established under this Section
22 shall not, however, be used in determining benefits payable
23 under other Articles of this Code under the Retirement
24 Systems Reciprocal Act.

25 (40 ILCS 5/17-116.7 new)

26 Sec. 17-116.7. Early retirement incentive for
27 participants in the Veteran Teachers to Schools in Need
28 Program.

29 (a) For the purposes of this Section:

30 "Act" means the Veteran Teachers to Schools in Need Act.

31 "Program participant" means a teacher who is either (i)
32 an active participant in the Veteran Teachers to Schools in
33 Need Program created under the Veteran Teachers to Schools in

1 Need Act, or (ii) a former participant in that program whose
2 participation was terminated due to the State's failure to
3 appropriate sufficient moneys as provided in Section 50 of
4 the Act, for the remaining portion of the initial 3-year
5 participation obligation.

6 "Salary supplement" means the salary supplement paid by
7 the State to a program participant under Section 20 of the
8 Act; it includes any lump sum paid to the program participant
9 by the State under Section 50 of the Act.

10 (b) Any salary supplement received by a program
11 participant for which employee contributions have been paid
12 to the Fund shall be included in the computation of salary
13 and average salary for the purposes of this Article and
14 Article 20, unless the program participant is required to
15 repay that salary supplement to the State under Section 30 of
16 the Act.

17 Employee contributions to the Fund shall be withheld by
18 the State from the salary supplement and paid by the State to
19 the Fund in the same manner as employee contributions to the
20 Article 16 retirement system are withheld from salary and
21 paid to the Article 16 retirement system on behalf of
22 teachers under that retirement system who are State
23 employees. The receipt of a salary supplement by a program
24 participant does not, however, make that program participant
25 an employee of the State.

26 No separate employer contribution is required at the time
27 of payment of the salary supplement, but the resulting
28 liability shall be considered by the General Assembly in the
29 calculation of the annual State contribution to the Fund
30 under Section 17-127.

31 (c) A former program participant who is required to
32 repay the salary supplement to the State under Section 30 of
33 the Act forfeits the employee contributions paid to the Fund
34 with respect to that salary supplement. Neither the former

1 program participant nor his or her survivor, beneficiary, or
2 estate is entitled to a refund of those forfeited employee
3 contributions.

4 (d) Upon completion of the first 3 school years of
5 participation in the program with a satisfactory rating, a
6 program participant is entitled to 3 years of age enhancement
7 under this Section. Upon completion of each additional
8 school year of participation in the program with a
9 satisfactory rating, a program participant is entitled to one
10 additional year of age enhancement under this Section, up to
11 a total of 6 years of age enhancement under this Section.

12 For each year of age enhancement established under this
13 Section, the program participant shall be deemed one year
14 older than he or she actually is, beginning at the time of
15 retirement. The age enhancement established under this
16 Section may be used for all purposes under this Article
17 (including calculation of a proportionate annuity payable by
18 this Fund under the Retirement Systems Reciprocal Act),
19 except for purposes of a reversionary annuity under Section
20 17-120 and distributions required by federal law on account
21 of age. Age enhancement established under this Section shall
22 not, however, be used in determining benefits payable under
23 other Articles of this Code under the Retirement Systems
24 Reciprocal Act.

25 Section 920. The State Mandates Act is amended by adding
26 Section 8.26 as follows:

27 (30 ILCS 805/8.26 new)

28 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6
29 and 8 of this Act, no reimbursement by the State is required
30 for the implementation of any mandate created by this
31 amendatory Act of the 92nd General Assembly.

1 Section 999. Effective date. This Act takes effect on
2 July 1, 2002.